

Message Text

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66

ACTION ARA-17

INFO OCT-01 ADP-00 CIAE-00 DODE-00 PM-09 H-02 INR-09 L-03

NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SS-14 USIA-12 EB-11

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R 121840 Z MAR 73

FM AMEMBASSY SANTIAGO

TO SECSTATE WASHDC 3691

LIMITED OFFICIAL USE SANTIAGO 0982

EO 11652: N/A

TAGS: CI, PFOR

SUBJECT: SPOTLIGHT ON 1914 TREATY

REF: SANTIAGO 0949

1. BEGIN SUMMARY. UNTIL RECENTLY PUBLIC DISCUSSION HERE OF POSSIBLE RECOURSE TO 1914 TREATY TO DEAL WITH US- CHILEAN DIFFERENCES OVER COPPER HAS BEEN CONFINED TO LIMITED CIRCULATION LEFTIST PUBLICATIONS. AS OUTGROWTH WIDELY READ MAPU ANALYSIS OF UP' S PAST AND FUTURE COURSE (SANTIAGO 0847), WHICH FLEETINGLY CRITICIZED TREATY IDEA, MASS CIRCULATION MEDIA ARE BEGINNING TO TAKE NOTICE. END SUMMARY.

2. MARCH 12 EL MERUCURIO CARRIES EDITORIAL PAGE COMMENTARY TITLED "1914 TREATY BETWEEN CHILE AND US." PIECE FACTUALLY REVIEW HISTORY AND PRINCIPAL PROVISIONS. NOTING CONSTITUTIONAL RESERVATIONS AND ARTICLE IV PROVISOS REGARDING NEED FOR SUPPLEMENTARY CONVENTION, COMMENTARY CONCLUDES " ONE CAN EASILY APPRECIATE THAT THIS SERIES OF RESERVATIONS AND RESTRICTIONS LEFT A VERY NARROW DOOR FOR OBLIGATORY ARBITRATION." COMMENTARY IS SIGNED " G," PENNAME OF LONG- RETIRED FONMINISTRY OFFICIAL ENRIQUE GAJARDO VILLARVOEL, FREQUENT CONTRIBUTOR TO MERCURIO ON INTERNATIONAL THEMES.

3. ALSO TAKING CUE FROM MAPU REFERENCE, CURRENT ISSUE
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OF PDC- ORIENTED ERCILLA RECALLS THAT EDMUNDO VARGAS (FONMIN LEGAL ADVISOR UNDER FREI) HAS ALREADY BEEN DESIGNED CHILEAN REPRESENTATIVE ON ONTERNATIONAL COMMISSION WHICH TREATY CONTEMPLATES. " THE PROBLEM SUBMITTED IN FIRST INSTANCE," ERCILLA OBSERVES, " WILL (SIC) BE THE KENNECOTT CASE AND THE INDEMNIFICATIONS ARISING FROM THE NATIONALIZATION S. FOR THE EXTREME LEFT OF THE GOVT, THE MERE ACT OF CONVERSING ABOUT THIS SUBJECT WOULD BE TO ENTER A SITUATION OF ' NEGOTIATED DEPENDENCY," (THIS) WITHOUT DELVING INTO THE QUESTION OF THE NECESSITY OF COMING TO AN AGREEMENT WITH THE OPPOSTIION, AND IN CONCRETE TERMS WITH THE PDC, TO OBTAIN A CONSTITUTIONAL AMENDMENT ELIMINATING REFERENCES TO COPPER INDEMNIFICATION."

4. POUCHING BOTH TEXTS TO ARA/ BC.
DECONTROL ONE YEAR.
DAVIS

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*** Current Handling Restrictions *** n/a

*** Current Classification *** LIMITED OFFICIAL USE

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